

CITY COUNCIL, CITY OF LODI  
CITY HALL COUNCIL CHAMBERS  
WEDNESDAY, APRIL 20, 1988  
7:30 P.M.

ROLL CALL Present: Council Members - Hinchman, Olson, Reid, Snider, and Pinkerton (Mayor)

Absent: Council Members - None

Also Present: City Manager Peterson, Assistant City Manager Glenn, Community Development Director Schroeder, Public Works Director Ronsko, City Attorney Stein, and City Clerk Reimche

INVOCATION The invocation was given by Pastor R. L. Weishoff, Emanuel American Lutheran Church.

PLEDGE OF ALLEGIANCE The Pledge of Allegiance was led by Mayor Pinkerton.

PRESENTATIONS Mayor Pinkerton made a farewell presentation on behalf of the Lodi City Council to City Attorney Stein. City Attorney Stein addressed the Council giving a brief farewell address.

PROCLAMATIONS Mayor Pinkerton presented a Proclamation proclaiming April CC-37 24 - 30, 1988 as "Professional Secretaries Week".

CONSENT CALENDAR In accordance with report and recommendation of the City Manager, Council, on motion of Council Member Olson, Hinchman second, approved the following items hereinafter set forth. With the concurrence of the Council, the following agenda items were removed from the Consent Calendar and discussed and acted upon under the Regular Calendar:

a) Agenda item E-8 - "Adopt resolution authorizing the reallocation and reprogramming of Community Development Block Grant funds for the 1988-89 fiscal year"

b) Agenda item E-9 - "Approve list of projects to be administered under the Community Development Block Grant Program for the 1988-89 fiscal year and their respective allocations"

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CLAIMS CC-21(a) Claims were approved in the amount of \$615,599.46.

MINUTES The Minutes of March 2, 1988 and March 31, 1988 (Special Meeting) were approved as written.

NOTIFICATION RECEIVED PURSUANT TO GOVERNMENT CODE SECTION 25351 OF COUNTY LEASED FACILITIES WITHIN THE CITY OF LODI Council was apprised that the State of California Government Code Section 25351 requires counties to notify the City Clerks of Cities in which the County leases property at least 60 days prior to the negotiation or execution of said leases.

CC-7(b)

Continued April 20, 1988

Accordingly, a letter was presented which had been received from Michael N. Smith, Director, Health Care Services, San Joaquin County, listing facilities which are leased by San Joaquin County for health care purposes and are located within the City of Lodi.

SPECIFICATIONS FOR  
THE PURCHASE OF A  
RESPIRATORY AIR  
SYSTEM APPROVED

CC-20  
CC-47

The City Council approved the specifications for a Respiratory Air System and authorized advertisement for bids thereon.

The City Council was informed that the Air System will be used by the Fire Department to refill and maintain their self contained breathing apparatus bottles and related equipment.

This project will be a joint effort between the City and the Woodbridge Fire Protection District. Since both agencies have a need for this equipment, it has been agreed that funding would be shared on a projected use basis and that the equipment will be installed at Fire Station #3 in the City and maintained by the City. The estimated cost of this purchase is \$15,000.

The project was approved pending the joint agreement with Woodbridge Fire Protection District. The cost is to be split as follows:

City of Lodi - \$10,000

Woodbridge Fire District - \$5,000

SPECIFICATIONS FOR  
ASPHALT REJUVENATING  
AGENT APPROVED

CC-47

Council approved the specifications for 5,000 gallons of Asphalt Rejuvenating Agent and authorized the Purchasing Officer to advertise for bids thereon.

SPECIFICATIONS FOR  
LODI LAKE PEDAL  
BOATS APPROVED

CC-20  
CC-47

The City Council approved specifications for the purchase of eighteen, 4-5 person pedal boats with canopies, for rental use at Lodi Lake and authorized the advertising for bids thereon.

PLANS AND  
SPECIFICATIONS FOR  
HUTCHINS STREET  
RECONSTRUCTION,  
RIMBY TO VINE, AND  
APPROVED ADVERTISING  
FOR BIDS THEREON  
AUTHORIZED

CC-12.1(a)

Council approved the Plans and Specifications for Hutchins Street Reconstruction, Rimby to Vine, and authorized advertising for bids thereon.

This project consists of reconstructing the section of Hutchins Street between Rimby Avenue and Vine Street. The street will also be widened five feet on the west side to allow for parking and a continuous left turn lane.

This project was to be coordinated with the reconstruction project on Hutchins Street from Tokay to Lodi. Additional funding was to be provided in July 1988 with the new Capital Improvement Program. However, right-of-way delays

have required rescheduling such that the Tokay to Lodi project will not be done until 1988/89. Therefore, Staff recommended the transfer of appropriations from that project in order to proceed this year with the Rimby to Vine project.

STAFF AUTHORIZED  
TO NEGOTIATE NEW  
MEMORANDUM OF  
UNDERSTANDING FOR  
ADMINISTRATIVE  
SERVICES FOR THE  
CITY'S HOUSING  
REHABILITATION LOAN  
PROGRAM

RES. NO. 88-51

The City Council adopted Resolution No. 88-51 authorizing City staff to negotiate a new Memorandum of Understanding with San Joaquin County for administrative services for the City's Housing Rehabilitation Loan program.

CC-55

Council was advised that in 1987, the City established the Single Family Housing Rehabilitation Loan Program. At that time, the City negotiated a contract (MOU) to have San Joaquin County assist Lodi in administering the program. The original intent of this agreement was to take advantage of San Joaquin's expertise with this type of program and to relieve the City of the tremendous amount of work involved. The MOU was for the amount of \$23,550 to administer the balance of the \$157,000 allocated to the program. The scope of services is as follows:

1. Initial Application Intake
2. Loan Applicant Eligibility Determination
3. Preliminary Housing Rehabilitation cost Estimate
4. Bank Application Processing
5. Housing Rehabilitation Work Write-up
6. Formal Bid/Review Process
7. Notice of Award
8. Notice to Proceed
9. Processing of Progress Payments
10. Request for Contractor Lien Release
11. Contractor Final Payment
12. Notice of Completion

It was therefore Staff's recommendation that the City plan to allocate another \$136,908.91 to the Rehabilitation Loan Program. The City, therefore, needs to negotiate another MOU with San Joaquin County to administer this additional amount.

IMPLEMENTATION OF A  
FLAT \$100.00 BUILDING  
PERMIT FEE FOR ALL  
REHABILITATION WORK  
DONE WITH COMMUNITY  
DEVELOPMENT BLOCK  
GRANT FUNDS ADMINISTERED  
THROUGH THE HOUSING  
REHABILITATION LOAN  
PROGRAM APPROVED

RES. NO. 88-52

The City adopted Resolution No. 88-52 adopting a flat \$100.00 building permit fee (in place of the normal building permit fees) for all rehab work done at one address for residences rehabilitated under the City's Single-Family Housing Rehabilitation Loan Program.

CC-55

Council was apprised that the Single-Family Rehab Loan Program provides low-interest loans from CDGB funds to low- and moderate-income persons for the purpose of bringing their homes up to housing code standards. Regular building permit fees limit the amount of rehab work that can be done since monies used for paying permit fees often take the place of those that could be used for additional rehab work.

Other jurisdictions with similar programs, such as San Joaquin County, have instead adopted a fixed building permit fee; they charge a flat \$90.50 for their CDGB-funded housing rehab projects. Their reasons for doing so include:

1. It adequately covers the administrative costs of processing the building permits and the costs of performing the required inspections.
2. It helps to relieve the financial burden involved with doing rehabilitation work and allows the homeowner to get more rehabilitation for the dollar than if those dollars went into paying higher building permit fees.

Staff concluded in their recommendation to the City Council that remembering that the principal purpose of these loans is to provide financial assistance to low- and moderate-income persons, it would seem inappropriate that the City provide these loans only to collect a large portion back in fees. Since \$100.00 should adequately cover any costs incurred by the City, it is recommended that the City reduce the building permit fees for any rehabilitation work done with CDGB loan funds to \$100.00.

IMPROVEMENTS UNDER  
"SOFTBALL COMPLEX  
SHADE STRUCTURE,  
401 NORTH STOCKTON  
STREET" CONTRACT  
ACCEPTED

CC-90

The City Council accepted the improvements for the "Softball Complex Shade Structure, 401 North Stockton Street" contract, and directed the Public Works Director to file a Notice of Completion with the County Recorder's office.

The City Council was apprised that the contract was awarded to Allan Askew "Can-Do" of Lodi on November 18, 1987 in the amount of \$20,616.00. The contract has been completed in substantial conformance with the plans and specifications approved by the City Council.

The actual completion date was April 11, 1988. The final contract price was \$20,416.00. The difference between the contract amount and the final contract price is mainly due to changes in the fascia sheet metal and columns.

IMPROVEMENTS IN  
CENTURY 22, LOCATED  
AT THE NORTHEAST  
CORNER OF CENTURY  
BOULEVARD AND  
CHICKADEE LANE  
ACCEPTED

RES. NO. 88-53

CC-46

The City Council adopted Resolution No. 88-53 accepting the subdivision improvements included in Century 22, located at the northeast corner of Century Boulevard and Chickadee Lane.

The City Council was advised that improvements in Century 22 have been completed in substantial conformance with the requirements of the Subdivision Agreement between the City of Lodi and Pasco Enterprises dated February 17, 1988, and as more specifically set forth in the plans and specifications approved by the City Council.

All street improvements were installed with Johnson Ranch Subdivision.

PUBLIC HEARING SET  
TO CONSIDER THE  
REQUEST FOR A  
CONDITIONAL USE  
PERMIT FOR A  
SHELTER FOR THE  
HOMELESS AT 19  
NORTH STOCKTON  
STREET

CC-6  
CC-53(a)

The City Council was advised that the applicants, Morris & Wenell Architects on behalf of Fellowship Ministries, Inc. are requesting a Conditional Use Permit to convert and rehabilitate an existing bar into a shelter for the homeless. The shelter would provide shelter, food service and religious services.

The property is zoned C-M, Commercial-Light Industrial. The Use Permit is required under provisions of Ordinance 1409 the Eastside Study Area Rezoning that states "... any property zoned R-CP, C-1, C-2 or C-M in the area bounded by Lockeford Street on the north; the north-south alley between Stockton Street and Main Street on the east; Lodi Avenue on the south and Church Street on the west, not containing any multiple-family units may build or convert to multiple family purposes after the approval of a Conditional Use Permit by the City Council."

The City Council was further advised that the Conditional Use Permit and Certification of a Negative Declaration may be considered at one public hearing, but must be acted on separately.

The City Council set the matter for public hearing at the regular council meeting of May 4, 1988.

FUNDS APPROPRIATED  
TO COVER COST OF  
ARCHITECTURAL SERVICES  
AGREEMENT WITH MORRIS  
AND WENELL ARCHITECTS  
AND PLANNERS, INC.  
FOR THE DESIGN OF  
THE HUTCHINS STREET  
SENIOR COMPLEX  
IMPROVEMENTS

CC-27(e)

The City Council appropriated funds from the Work-For Others account until the transfer of the inheritance willed by the late Mr. William Holz to cover the cost of the Architectural Services Agreement with Morris and Wenell Architects and Planners, Inc. for the design of the Hutchins Street Senior Complex Improvements.

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COMMENTS BY CITY  
COUNCIL MEMBERS

Continued April 20, 1988

MAYOR PINKERTON  
EXTENDS APPRECIATION  
TO FELLOW COUNCIL  
MEMBERS ON ELECTING  
HIM MAYOR

Mayor Pinkerton voiced his appreciation to the other members of the City Council for electing him Mayor of the City of Lodi.

LODI CHAMBER  
ORCHESTRA CONCERT  
APPLAUDED

Council Member Olson applauded the recent Lodi Chamber Orchestra Concert.

COUNCIL MEMBER  
OLSON'S CAR PASSES  
SMOG CONTROL TEST

Council Member Olson announced that her car had finally passed the smog control test.

CITY CLERK  
DIRECTED TO  
INVESTIGATE WAYS  
TO INCREASE VOTER  
REGISTRATION AND  
VOTER TURNOUT

Following introduction of the subject by Council Member Hinchman, the City Clerk was directed to investigate means of increasing voter registration and voter turnout.

CC-18

COMPLAINT RECEIVED  
REGARDING REFRIGERATORS  
BEING STORED AT A  
SITE ON EAST PINE  
STREET

Staff responded to an inquiry by Council Member Hinchman regarding a complaint he had received regarding refrigerators being stored at a site on East Pine Street.

CC-24(b)

INQUIRY REGARDING  
TRUCKS USING MILLS  
AVENUE GOING FROM  
GENERAL MILLS TO  
LODI AVENUE

Staff responded to an inquiry by Council Member Hinchman that it is legal for trucks to use Mills Avenue going from General Mills to Lodi Avenue.

CC-45(a)  
CC-48(a)

QUESTION REGARDING  
STATUS OF TRUCK  
ROUTE EIR

Following an inquiry by Council Member Hinchman, regarding the status of the Truck Route EIR, Council was advised that this matter will be coming back to the Council in the very near future.

CC-48(a)

COMMENTS BY THE  
PUBLIC ON NON AGENDA  
ITEMS

CONCERN EXPRESSED  
REGARDING THE  
PRESERVATION OF  
THE SOUTHERN PACIFIC  
DEPOT

Maria Elena Serna addressed the Council speaking on the urgent need to take timely action regarding the Southern Pacific Depot. City Manager Peterson apprised the Council that the City has had numerous conversations with Southern Pacific Transportation Company regarding the matter and are on top of the situation.

CC-7(h)

Continued April 20, 1988

"CLEAN-UP-LODI  
WEEK"

CC-22(b)

David Vaccarezza, California Waste Removal Systems, announced that May 7 - 14, 1988 would be "Clean-Up-Lodi Week", that Saturday, May 7, 1988 would be "Dollar Dump Day" at the Transfer Station. Mr. Vaccarezza further advised that from May 9, 1988 to May 14, 1988 would be "Residential Clean Up Week" where 1 cubic yard of refuse could be bagged and deposited at curbside by residents, which would then be picked up on their regular pickup day by Sanitary City Disposal Company at no charge.

HEARINGS REGARDING  
CITY'S OBLIGATION  
FOR HANDICAPPED  
ACCESS TO PUBLIC  
BUILDINGS

CC-118

CC-142

Council Member Hinchman reminded the public of the following hearings which are being held to receive public input covering the city's obligation for handicapped access to public buildings. The hearings will be held in the Community Room, Lodi Public Library, 201 West Locust Street, Lodi:

12 noon - April 26, 1988

7:30 p.m. - April 26, 1988

PUBLIC HEARINGS

Notice thereof having been published and posted according to law, affidavits of which publication and posting are on file in the office of the City Clerk, Mayor Pinkerton called for the public hearing regarding Weed Abatement Proceedings involving various parcels within the City of Lodi to allow property owners having objections to the proposed removal of weeds to be heard and given due consideration.

WEED ABATEMENT  
PROCEEDINGS INVOLVING  
VARIOUS PARCELS  
WITHIN THE CITY  
OF LODI

RES. NO. 88-54

CC-24(b)

The matter was introduced by the City Clerk who advised that at the City Council meeting of February 3, 1988 the Lodi City Council adopted Resolution No. 88-15 - Resolution Declaring Weeds A Public Nuisance and Initiating Abatement Proceedings - Various Parcels, Lodi, California. Pursuant to State of California Government Code Section 39500 et seq., a Notice to Destroy Weeds and Remove Rubbish, Refuse, and Dirt, was published, mailed under Declaration of Mailing to each of the involved property owners, and posted on the subject properties as determined by the City Attorney and the Fire Inspector. The purpose of this public hearing is for all property owners having any objections to the proposed abatement to be heard and given due consideration.

City Clerk Reimche stated that she had been advised by the Fire Department that since the adoption of Resolution No. 88-15 numerous property owners have abated the weeds on their property. Council was apprised that there are presently 90 parcels that are not in compliance following a final inspection by the Fire Inspector on Friday, April 15, 1988.

It was Staff's recommendation that, following the Public Hearing and receipt of public testimony regarding the matter, it would be in order for the Council to adopt Resolution No. 88-54 Resolution Overruling Objections and

Continued April 20, 1988

Proceeding with Abatement. Further, it was suggested that the property owners be given 30 days to abate the weeds, after which time the City will proceed with the abatement of the subject weeds.

There were no persons in the audience wishing to address the City Council regarding this matter and the public portion of the hearing was closed.

On motion of Mayor Pro Tempore Snider, Hinchman second, Council adopted Resolution No. 88-54 - Resolution Overruling Objections and Proceeding with Abatement. Further Council concurred with staff's recommendation to allow the subject property owners 30 days in which to abate the weeds on their parcels after which time the City will proceed with the abatement of the subject weeds.

PUBLIC HEARING TO  
CONSIDER THE  
PLANNING COMMISSION'S  
RECOMMENDED APPROVAL  
ON VARIOUS REQUESTS  
OF DAVID ARNAIZ ON  
BEHALF OF H. D.  
ARNAIZ CORPORATION

CC-53(a)

Notice thereof having been published according to law, an affidavit of publication which is on file in the office of the City Clerk, Mayor Pinkerton called for the public hearing to consider the Planning Commission's recommended approval on the following requests of David Arnaiz on behalf of H. D. Arnaiz Corporation:

- a) to amend the Land Use Element of the Lodi General Plan by redesignating the 9.2 acre parcel at the northwest corner of State Route 99 and East Turner Road from Commercial to Low Density Residential
- b) to rezone the 9.2 acre parcel at the northwest corner of State Route 99 and East Turner Road from C-S, Commercial Shopping to R-1, Single Family Residential
- c) to certify the filing of a Negative Declaration as adequate environmental documentation on the above requests

The matter was introduced by Community Development Director Schroeder who advised that when the Mokelumne Village Subdivision was originally approved on January 23, 1978 the 9.2 acre parcel at the northwest corner of State Route 99 and East Turner Road was designated as Commercial on the General Plan and zoned C-S, Commercial Shopping. During the ensuing 10 years the developer has tried to establish various commercial projects on the site without success. The H. D. Arnaiz Company now wishes to develop this property to an R-1 standard in conformance to the area to the west.

Mr. Schroeder presented diagrams of the subject area and responded to questions as were posed by the Council.

Speaking in favor of the request were:

- a) Mr. Michael D. Hakeem, Attorney-at-Law, Rishwain et al, 2800 West March Lane, Suite 200, Stockton, CA representing David Arnaiz on behalf of the H. D. Arnaiz Corporation.
- b) Mr. Michael Rishwain, 1038 Miwok Drive, Lodi



Speaking in opposition was:

a) Mr. William Schiller, 434 Mokelumne Village Drive, Lodi

Janet Pruss, 2421 Diablo Drive, Lodi asked for the vote of the Planning Commission on this matter and what the concerns were regarding this request. Mrs. Pruss further stated that the General Plan is in the process of being updated and indicated that this may be premature.

There being no other persons in the audience wishing to speak on the matter, the public portion of the hearing was closed.

On motion of Council Member Reid, Hinchman second, Council certified the Negative Declaration for the Mokelumne Village East Project with the following condition (finding):

That a noise analysis be conducted on the project. The analysis should include recommendations for noise reduction measures to bring interior noise levels down to acceptable noise levels of less than 60 Ldn. There should also be a follow-up analysis once the houses have been constructed to determine the effectiveness of the noise reduction measures. The analysis should be done by a qualified acoustical consulting firm, paid for by the developer.

On motion of Mayor Pro Tempore Snider, Hinchman second, Council introduced Ordinance No. 1424 amending the Land Use Element of the Lodi General Plan by redesignating the 9.2 acre parcel at the northwest corner of State Route 99 and East Turner Road from Commercial to Low Density Residential. The motion carried by unanimous vote of the City Council.

On motion of Council Member Hinchman, Olson second, Council introduced Ordinance No. 1425 rezoning the 9.2 acre parcel at the northwest corner of State Route 99 and East Turner Road from C-S, Commercial Shopping to R-1, Single Family-Residential.

APPEAL OF H. D.  
ARNAIZ CORPORATION  
ON CERTAIN CONDITIONS  
IMPOSED BY THE PLANNING  
COMMISSION ON THE  
APPROVAL OF THE  
TENTATIVE SUBDIVISION  
MAP OF MOKELUMNE  
VILLAGE EAST

CC-53(a)  
CC-53(b)

Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Pinkerton called for the public hearing to consider the appeal of Michael D. Hakeem, Attorney at Law, Rishwain, Hakeem and Ellis, 2800 West March Lane, Suite 200, Stockton, California, representing David Arnaiz on behalf of the H. D. Arnaiz Corporation on the following conditions imposed by the Planning Commission on the approval of the Tentative Subdivision Map of Mokelumne Village East, a 9.2 acre, 38 lot, single-family residential project, proposed for the northwest corner of State Route 99 and East Turner Road:

- a) the requirement to be responsible for one-half of the cost for the installation of the water main crossing at Highway 99.
- b) the requirement to provide access right-of-way to the sewage lift station from cul-de-sac.

Continued April 20, 1988

The matter was introduced by Community Development Director Schroeder who advised the City Council that since the conditions being appealed are distinctly different types of requirements, it is appropriate that they be reviewed separately.

The Planning Commission required the water main crossing because of the requirement of Section 13.08.140 set forth in the Lodi Municipal Code. The Planning Commission is not empowered to amend or interpret these sections.

The City Attorney, during the discussion of this item before the Planning Commission, indicated that he was concerned about a requirement for a water main extension by a developer when his subdivision was already served by existing facilities. He informed the Commission that existing Government Code Sections require a City to show a nexus between subdivision conditions and the burden the developer is creating.

The second item being appealed is quite another matter. The developer wishes to give additional access on Turner Road to an existing sewage lift station. The Planning Commission rejected this proposal because it (1) would be hazardous to pedestrians and vehicles on Turner Road; (2) would create a hole in the reverse frontage fence; (3) would invite vandalism to the lift station; and (4) would require additional landscaping and other maintenance.

The Planning Commission required an access similar to the one at the intersection of Shady Acres Drive and Cabrillo Circle which is located between two lot lines at the end of the cul-de-sac. This solution solves the problems listed above and is very low maintenance.

Mr. Schroeder presented diagrams of the subject area and responded to questions as were posed by the City Council.

Additional information was presented by Public Works Director Ronsko and City Attorney Stein.

Speaking on behalf of the appeal was Michael D. Hakeem, Attorney at Law, Rishwain, Hakeem and Ellis, 2800 West March Lane, Suite 200, Stockton, California representing David Arnaiz on behalf of the H. D. Arnaiz Corporation.

Also responding to questions that were posed by the City Council and Staff was the engineer for the project.

Mr. William Schiller, Manager of Casa De Lodi Mobile Home Park, asked a number of questions as to how the request if approved would impact Casa De Lodi.

There being no other persons wishing to speak on the matter, the public portion of the hearing was closed.

A very lengthy discussion followed with questions being directed to Staff and to those who had given testimony.

Mayor Pinkerton declared a five minute recess at 9:20 p.m. to allow staff and the representatives of the H. D. Arnaiz Corporation to meet and possibly work out an amicable solution.

The City Council reconvened at 9:25 p.m.

A motion by Council Member Reid, Olson second, to continue this matter until the Regular Council Meeting of May 18, 1988, failed to pass.

Continued April 20, 1988

In the matter of the requirement that the developer be responsible for one half of the cost for the installation of the water main crossing at Highway 99, on motion of Mayor Pro Tempore Snider, Hinchman second, Council instructed Staff to enter into negotiations regarding the subject looping and placed a maximum cost responsibility to the developer of 50% of the total cost of the installation.

The motion carried by the following vote:

Ayes: Council Members - Hinchman, Snider, Olson,  
and Pinkerton (Mayor)

Noes: Council Members - Reid

Absent: Council Members - None

On motion of Mayor Pro Tempore Snider, Hinchman second, Council denied the appeal regarding the requirement to provide access right-of-way to the sewage lift station from the cul-de-sac; however, indicated that it would not be opposed to the developer and city staff working out a solution that would be acceptable to the Planning Commission.

APPEAL OF LODI  
MEMORIAL HOSPITAL  
OF THE PLANNING  
COMMISSION'S DENIAL  
TO PERMIT THE  
ERECTION OF A THREE  
STORY PROFESSIONAL  
OFFICE BUILDING  
WHERE A MAXIMUM OF  
TWO STORIES IS  
ALLOWED AT 975  
SOUTH FAIRMONT  
AVENUE IN AN AREA  
ZONED R-C-P,  
RESIDENTIAL-  
COMMERCIAL-  
PROFESSIONAL

CC-53(a)  
CC-53(b)

Notice thereof having been published according to law, an affidavit of which is on file in the office of the City Clerk, Mayor Pinkerton called for the public hearing to consider the appeal of Lodi Memorial Hospital of the Planning Commission's denial, based on its determination that a "Zoning Hardship" did not exist, to permit the erection of a three story professional office building where a maximum of two stories is allowed at 975 South Fairmont Avenue in an area zoned R-C-P, Residential-Commercial-Professional.

The City Council was advised that a letter had been received from Lodi Memorial Hospital requesting that the matter be continued until May 18, 1988.

On motion of Mayor Pro Tempore Snider, Reid second, the City Council granted the request for continuance of this request.

PLANNING COMMISSION  
REPORT

CC-35

ITEMS OF INTEREST

City Manager Peterson presented the following Planning Commission Report of the Planning Commission Meeting of April 11, 1988:

The Planning Commission -

1. Conditionally approved the Tentative Parcel Map to join

Continued April 20, 1988

701 South Ham Lane and 1330 West Tokay Street in an area zoned R-C-P, Residential-Commercial-Professional, as requested by Glen I. Baumbach, Baumbach and Piazza, Consulting Engineers, on behalf of the Bank of Lodi.

2. Conditionally approved the Tentative Subdivision Map of Almond Place Apartments, a 1-lot, 1.40 acre residential project proposed for 448 Almond Drive in an area zoned R-MD, Medium Density Multiple Family Residential, as requested by Dillon Engineering on behalf of Almond Drive Joint Venture.
3. Reviewed and discussed the concepts of Specific Plans as outlined in the Government Code.
4. Called for a joint meeting between the Planning Commission and Site Plan and Architectural Committee to (1) discuss the expansion of SPARC review and (2) review the mitigation proposed by Jones and Stokes in the Eastside Study.

COMMUNICATIONS  
(CITY CLERK)

ABC LICENSE  
APPLICATIONS

City Clerk Reimche presented the following Alcoholic Beverage License Application which had been received:

CC-7(f)

- a) Ngugen, Phuoc Thien  
Pizza World, 500 South Cherokee Lane, Lodi  
On sale beer and wine eating place  
Person to Person Transfer

CITY CLERK DIRECTED  
TO POST FOR VARIOUS  
VACANCIES ON THE  
LODI ARTS  
COMMISSION

On motion of Council Member Olson, Hinchman second, the City Council directed the City Clerk to post for five expiring terms on the Lodi Arts Commission.

CC-2(k)

URGENCY APPOINTMENT  
TO PERSONNEL BOARD  
OF REVIEW

On motion of Mayor Pro Tempore Snider, Olson second, the City Council concurred with the Mayor's urgency appointment of Lloyd Kuehne to the City of Lodi Personnel Board of Review.

CC-2(f)

LETTER RECEIVED  
CONCERNING ORDINANCE  
PROHIBITING TRAIN  
WHISTLES AND NOISE

The City Clerk presented a letter which had been received from Mr. Lawrence Wilson regarding an ordinance prohibiting train whistles and noise from 10:00 p.m. to 6:00 a.m.

CC-146

CO-SPONSORSHIP OF  
SYETP THEATER  
PROJECT APPROVED

Following discussion Council, on motion of Council Member Olson, Hinchman second, approved a request from the County of San Joaquin Employment and Economic Development Department for co-sponsorship of SYETP Theater Project. Further, Council requested that staff report back at the May 4, 1988 Council meeting as to what had been done in the past regarding the city waiving fees and deposits for this project.

CC-130

Continued April 20, 1988

PUBLIC RIGHT-OF-WAY  
CONCERNS VOICED BY  
CENTRAL FURNITURE  
STORE

CC-16  
CC-45(e)

Following receipt of a letter from E. H. Spangler, Central furniture, 608 South Central Avenue, Lodi, regarding public right-of-way encroachments at that address, the City Council, on motion of Council Member Hinchman, Olson second, requested that the subject be placed on the agenda for the May 4, 1988 City Council Meeting.

REGULAR CALENDAR

INTRODUCTION OF  
DRAFT ENVIRONMENT  
IMPACT REVIEW/  
ENVIRONMENTAL  
ASSESSMENT OF THE  
PROPOSED 230 KV  
ELECTRIC INTER-  
CONNECTION PROJECT

CC-51(e)

Presentation and distribution of the Draft Environment Impact Review/Environmental Assessment (EIR) of the proposed 230-KV Electric Interconnection between the City of Lodi and the Western Area Power Administration were made for public review and comment.

An explanation of the process was made by Community Development Director Schroeder.

Frank Rowland of Power Engineers Incorporated, P. O. Box 1066, Hailey, Idaho, gave a brief synopsis of the subject document.

RESOLUTION ADOPTED  
AUTHORIZING THE  
RELOCATION AND  
REPROGRAMMING OF  
COMMUNITY DEVELOPMENT  
BLOCK GRANT FUNDS  
FOR THE 1988-89

RES. NO. 88-49

CC-55

Council was apprised that on Friday, February 5, 1988 the President signed the Housing and Community Development Act of 1987. The legislation provides \$2.8 billion for the Community Development Block Grant (CDBG) Program for fiscal year 1988-89. This amount reflects a 4.2 percent reduction from 1987-88 funding levels. Also, the addition of new entitlement communities and the use of 1986 population estimates has caused a further reduction of grant funds for individual communities. Overall reductions were approximately five percent. The allocation for the County of San Joaquin is \$2,182,000 and the City of Lodi's share is \$337,381.

The new fiscal year for the CDGB Program starts July 1, 1988. The City of Lodi must adopt the next year's CDGB budget at this time.

Following an audit on the CDGB books, we have confirmed that several completed projects still have balances in their respective accounts. Since no further drawdowns can be expected from these accounts, the monies in them can be reprogrammed toward the 1988-89 program year. Four such projects are shown on the hereinafter listed project summary with the notation "project completed".

The auditor has also informed the City that there is a need to charge administrative salaries and costs to their respective accounts in the fiscal year in which they were

Continued April 20, 1988

incurred. Previously, the City had not charged them to the current year accounts until the previous year accounts were reduced to a zero balance. The accounts have been corrected and the balances need to be reallocated or reprogrammed since the fiscal year has ended. These three accounts are listed on the project summary as "unused funds".

For the time being, the Main Street Economic Planning Program does not appear to be active. A Business Improvement District (BID) has not been established and it doesn't appear likely in the immediate future. Main Street can be funded in future program years that are more appropriate. The entire amount of \$50,000 should be reprogrammed towards the 1988-89 program projects.

The Lodi Lake Restroom reallocation and reprogramming is explained at the bottom of the project summary. The proposed improvements to the restrooms were determined to include ineligible costs (such as deferred maintenance) which do not qualify for CDBG assistance unless it is in the target area.

A lengthy discussion followed with questions being directed to Staff.

Council Member Reid expressed his concern regarding the amount of public input that was received on this project.

On motion of Council Member Olson, Hinchman second, Council adopted Resolution No. 88-49 authorizing the reallocation and reprogramming of Community Development Block Grant funds for the 1988-89 fiscal year. The motion carried by the following vote:

Ayes:	Council Members - Olson, Hinchman, Snider, and Pinkerton (Mayor)
Noes:	Council Members - Reid
Absent:	Council Members - None

LIST OF PROJECTS  
TO BE ADMINISTERED  
UNDER THE COMMUNITY  
DEVELOPMENT BLOCK  
GRANT PROGRAM FOR  
THE 1988-89 FISCAL  
YEAR AND THEIR  
RESPECTIVE ALLOCATIONS  
APPROVED

RES. NO. 88-50	Council was advised that the following list of proposed projects was prepared after the Citizen Participation Meeting held at the City of Lodi Library on Friday, February 19, 1988 to gather input on possible CDBG projects in accordance with Department of Housing and Urban Development guidelines.
CC-55	

The General Administration and Code Enforcement accounts continue as before in previous years except as follows:

1. Fair Housing counseling is actually defined as an administrative activity in the CDBG guidelines and is no longer listed separately.

2. Office supplies and miscellaneous expenses attributable to the CDBG program are specifically included in administrative costs. Previously, the Administration account was only for salaries and all program expenses required a special allocation.

All listed projects are CDGB-eligible as benefitting low- and moderate-income persons. All but the Senior Center at Hutchins Street Square and Well #10 are located in the target area. Well #10, however, serves the target area.

CITY OF LODI  
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM  
FISCAL YEAR 1988-89 PROJECT SUMMARY

<u>CDBG FUNDS AVAILABLE</u>	<u>AMOUNT</u>
FISCAL YEAR 1988-89 ALLOCATION (TO BE CONFIRMED)	\$337,381.00
STORM SEWERS REPROGRAMMING (PROJECT COMPLETED)	159.73
ARMORY PARK RESTROOM REPROGRAMMING (PROJECT COMPLETED)	387.53
SOFTBALL COMPLEX RESTROOM REPROGRAMMING (PROJECT COMPLETED)	4,918.77
BLAKELY PARK POOL PARTIAL REPROGRAMMING (PROJECT COMPLETED)	4,053.99
FY 86-87 ADMINISTRATION REPROGRAMMING (UNUSED FUNDS)	10,029.19
FY 86-87 CODE ENFORCEMENT REPROGRAMMING (UNUSED FUNDS)	15,317.17
FY 86-87 FAIR HOUSING COUNSELING REPROGRAMMING (UNUSED FUNDS)	3,661.53
MAIN STREET ECONOMIC PLANNING REPROGRAMMING (TERMINATED)	50,000.00
LODI LAKE RESTROOM PARTIAL REPROGRAMMING* (CDBG-INELIGIBLE)	66,000.00
TOTAL FUNDS AVAILABLE	<u>\$491,908.91</u>

<u>PROPOSED ALLOCATION OF FUNDS</u>	<u>AMOUNT</u>
GENERAL ADMINISTRATION	\$ 65,000.00
-ADMINISTRATIVE SALARIES	-
-FAIR HOUSING COUNSELING (SALARIES)	-
-TECHNICAL PERSONNEL SALARIES	-
-SUPPLIES AND MATERIALS	-
-OTHER EXPENSES (i.e. POSTAGE, ADVERTISING, ETC.)	-
CODE ENFORCEMENT (SALARIES)	30,000.00
WATER WELL NUMBER 8 STANDBY GENERATOR	40,000.00
WATER WELL NUMBER 10-R STANDBY GENERATOR	40,000.00
100-PERSON GROUP PICNIC FACILITIES @ BLAKELY PK	5,000.00
REPLACEMENT OF PLAYGROUND EQUIPMENT @ Blakely PK	32,000.00
NEW PLAYGROUND FACILITIES & EQUIPMENT @ HALE PK	38,000.00
REPLACEMENT OF TOP GUTTER/TILES @ OLD BLAKELY PARK POOL	5,000.00
CABINETS FOR SENIOR INFORMATION CENTER @ HUTCHINS STREET SQUARE	75,000.00
HOUSING REHABILITATION LOAN PROGRAM (SEE NOTE BELOW)	161,908.91

TOTAL PROJECTED ALLOCATION OF FUNDS \$491,908.91

NOTE-Any deviations in the total funds available will be reflected in an appropriate adjustment to the Housing Rehab Loan Program

Continued April 20, 1988

\*Aspects of the Lodi Lake Restroom Project were determined to be CDBG-ineligible. An amount of \$71,000 was originally allocated for this project in FY 1987-88. \$66,000 of this allocation is to be reprogrammed for FY 1988-89 projects.

Following discussion with questions being directed to Staff the City Council, on motion of Council Member Olson, Hinchman second, adopted Resolution No. 88-50 approving the heretofore listed projects to be administered under the Community Development Block Grant Program for the 1988-89 fiscal year and their respective allocations.

The motion carried by the following vote:

Ayes: Council Members - Hinchman, Olson, Snider, and Pinkerton (Mayor)

Noes: Council Members - Reid

Absent: Council Members - None

#### REVIEW OF VARIOUS TRAFFIC STUDIES

CC-45(a)  
CC-48(a)

Following review of the hereinafter listed traffic studies, the City Council took the following actions:

- a) Ham Lane and Kirkwood Drive, Intersection Study
- b) Oxford Way and Tejon Street at Lower Sacramento Frontage Road Intersection Study
- c) School Street at Vine Street, before and after study

On motion of Mayor Pro Tempore Snider, Hinchman second, Council adopted Resolution No. 88-55 approving the installation of a stop sign on Kirkwood Drive at Ham Lane, approving the installation of two-way stop signs on Lower Sacramento Road frontage roads at Oxford Way and Tejon Street and adopted Resolution No. 88-56 amending the traffic resolution.

#### BIDS REJECTED FOR SOFTBALL COMPLEX FENCE REPLACEMENT, 401 NORTH STOCKTON STREET

CC-12(b)

Council was reminded that, at the last Council meeting, Council deferred action on the award of the contract for the Softball Complex Fence Replacement to allow staff time to review questions that were posed regarding the project.

On April 7, 1988, Parks and Recreation Director Ron Williamson reviewed the project with Council Members Fred Reid, James Pinkerton and John R. (Randy) Snider at an informal assembly to physically look at the site area and discuss general concerns. The safety of spectators/participants and vehicles parked in the parking lot, plus values of the activity were discussed. It was generally agreed that this be referred back to staff and the Parks and Recreation Commission for a plan review and possible alternatives be developed.

Following discussion, on motion of Council Member Reid, Olson second, Council rejected the bids for the Softball Complex Fence Replacement, 401 North Stockton Street, and referred the matter to the Parks and Recreation Commission.



ORDINANCES

ORDINANCE RELATING  
TO STANDARDS AND  
TRAINING FOR  
CORRECTIONS PROGRAM  
ADOPTED

ORD. NO. 1423  
ADOPTED

CC-149  
CC-152

Ordinance No. 1423, entitled, "An Ordinance of the City of Lodi Relating to Standards and Training for Corrections Program" having been introduced at a Regular Meeting of the Lodi City Council held April 6, 1988 was brought up for passage on motion of Mayor Pro Tempore Snider, Hinchman second. Second reading of the ordinance was omitted after reading by title, and the Ordinance was then adopted and ordered to print by a unanimous vote of the the Lodi City Council.

CLOSED SESSION  
REGARDING LABOR  
RELATIONS

RESOLUTION ADOPTED  
SETTING WAGES AND  
BENEFITS FOR  
REPRESENTED EMPLOYEES  
IN THE ELECTRIC  
UNIT


CC-34

At approximately 10:30 p.m. the City Council adjourned to a "Closed Session" regarding labor relations. At approximately 11:10 p.m., the City Council reconvened. On motion of Council Member Reid, Hinchman second, Council adopted Resolution No. 88-57 setting wages and benefits for represented employees in the electric unit effective April 4, 1988.

ADJOURNMENT

There being no further business to come before the Council, Mayor Pinkerton adjourned the meeting at approximately 11:15 p.m.

ATTEST:

  
Alice M. Reimche  
City Clerk